



SUMMARY ACTION AGENDA

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, SEPTEMBER 20, 2005

Closed Session – 9:00 a.m.

Regular Meeting – 10:00 a.m.

MERCED COUNTY
ADMINISTRATION BUILDING
2222 "M" STREET
BOARD ROOM, THIRD FLOOR
MERCED, CALIFORNIA 95340
(209) 385-7366

JOHN PEDROZO.....DISTRICT 1
KATHLEEN M. CROOKHAM.....DISTRICT 2
MICHAEL G. NELSON.....DISTRICT 3
DEIDRE F. KELSEY.....DISTRICT 4
CHAIRMAN JERRY O'BANION.....DISTRICT 5
Lydia A. Beiswanger, Chief Clerk

DEMITRIOS O. TATUM
COUNTY EXECUTIVE OFFICER

RUBEN E. CASTILLO
COUNTY COUNSEL

*All supporting documentation is available for public review in the Office of the Clerk of the Board of Supervisors located in the County Administration Building, Third Floor, 2222 "M" Street, Merced, California, 95340
During regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.
(209) 385-7366*

SCHEDULED ITEMS

9:00 A. M.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Government Code Section 54956.9(b): One Case

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Government Code Section 54956.9(a): Baskerville-Smith v. County of Merced, Case No. 146473.

THE BOARD RECESSED AT 9:00 A.M. WITH ALL MEMBERS PRESENT AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED DIRECTION WAS GIVEN TO STAFF

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A. M.

PLEDGE OF ALLEGIANCE

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (See Board Clerk - Testimony limited to five minutes per person)

REVIEW BOARD ORDER – SEE PAGE 8

PRESENTATION OF SERVICE PIN AWARDS

25 YEARS OF SERVICE - Daniel Edmondson, Sheriff
Vernon Warnke, Sheriff
Andrea Baker, DWI
Pat Keltner, Public Works

20 YEARS OF SERVICE - Mark Goddard, District Attorney

15 YEARS OF SERVICE - James Pacheco, Sheriff
BJ Jones, Sheriff

REVIEW BOARD ORDER – SEE PAGE 8

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) District Attorney-\$15,433; Sheriff-\$33,000 and \$120,000

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Item #1 - 12)

APPROVED AS RECOMMENDED AYES: ALL

10:30 A. M.

PUBLIC WORKS - PUBLIC HEARING - PROPOSED ORDINANCE, POSSIBLE ADOPTION

To consider: An Ordinance to adjust the Fees for Improvement Plan Review and Construction Inspection of Subdivision Projects and Miscellaneous Document Review and Processing (Amends Ordinance No. 1728 and Amend Section 16.08.030.D.3 and D.4 of the Merced County Code)

REVIEW BOARD ORDER – SEE PAGE 8 AND 9

PUBLIC WORKS - PUBLIC HEARING - PROPOSED ORDINANCE, POSSIBLE ADOPTION

To consider: An Ordinance amending the Increase of Fees for Processing and Examining Parcel Maps, Subdivision Maps and Record of Survey Maps (Amends Ordinance Nos. 1729 and Section 17.040.029 of the Merced County Code)

REVIEW BOARD ORDER – SEE PAGE 9

HEALTH - PUBLIC HEARING - PROPOSED ORDINANCE, POSSIBLE ADOPTION

To consider: An Ordinance amending the Health Department Fee Ordinance, by Adopting or Changing Fees Set for Health Services Performed by the Health Officer of Merced County (Amends Ordinance No. 1732 and amends Title 9, Chapter 9.49 of the Merced County Code)

REVIEW BOARD ORDER – SEE PAGE 9 AND 10

FIRE - PUBLIC HEARING - PROPOSED ORDINANCE, POSSIBLE ADOPTION

To consider: An Ordinance to Create Fees for Fire Department Review and Approval of Certain Buildings, Facilities and Fire Protection Systems (Adds Section 9.24.055 to the Merced County Code)

REVIEW BOARD ORDER – SEE PAGE 10

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT - PUBLIC HEARING - PROPOSED ORDINANCE, POSSIBLE ADOPTION

To consider: An Ordinance amending and establishing Aircraft landing and Parking Rates and Related Charges at Castle Airport (Supercedes Ordinance No. 1735 and Amends Chapter 5.40 of the Merced County Code)

REVIEW BOARD ORDER – SEE PAGE 10 AND 11

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT - PUBLIC HEARING - PROPOSED ORDINANCE, POSSIBLE ADOPTION

To consider: An Ordinance Regarding the Operation of Water and Sewer Systems at Castle Airport, Aviation and Development Center and Charges Related Thereto (Partially Supercedes Ordinance No. 1736 and Amends Chapter 5.60 of the Merced County Code)

REVIEW BOARD ORDER – SEE PAGE 11

PLANNING - PUBLIC HEARING

To consider Resolution amending the Planning Department Development Review Fee Schedule (Supercedes Resolution No. 2004-151)

REVIEW BOARD ORDER – SEE PAGE 11

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, County Auditor, Board of Supervisors Members

LUNCH BREAK

CONSENT CALENDAR (Items #1 - 12)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Adopt Resolution annexing Minor Subdivision No. 05005 into the Nutcracker Terrace Street Lighting and Storm Drainage Maintenance Zone of Benefit Number 239 in County Service

Area Number One.

ADOPTED RESOLUTION NO. 2005-153A

2. Adopt Resolution annexing Minor Subdivision No. 04057 to the Country Living Estates Street Lighting and Storm Drainage Maintenance Zone of Benefit No. 240 in County Service Area Number One.

ADOPTED RESOLUTION NO. 2005-154A

3. Approve and authorize Chairman to sign Amendment to Contract No. 2004074 with R3 Consulting Group, Inc. for Financial Analysis of Solid Waste Enterprise.

Health

4. Approve and authorize Chairman to sign Renewal Contract No. 2004297 with Calif. Integrated Waste Management Board for Grant for Local Solid Waste Landfill Permit and Inspection Programs.

ADOPTED RESOLUTION NO. 2005-155A

Mental Health

5. Approve and authorize Chairman to sign Renewal Contract No. 200218 with State Dept. of Mental Health for State Mandated Performance Contract services.
6. Approve and authorize Chairman to sign Renewal Contract No. 2004017 with Merced County Office of Education for mental health services transfer of funds.

Executive Office

7. Act on Claims for Damages submitted by John Reyna and Robert Raley as recommended by Executive Office.
8. Approve Travel Requests submitted by Probation and Sheriff as recommended by Executive Office.
9. Approve Budget Transfers submitted by Probation and Public Works as recommended by Executive Office.

Board Recognition

10. Proclaim September 17 through 23, 2005 as Constitution Week in Merced County.
11. Authorize Certificate of Recognition to Community Social Model Advocates, Inc. in recognition of Recovery Happens Month.
12. Authorize Certificates of Recognition to Kiale Zuspan, Jonathan Pigg Jr., James Sanderson and Cameron Zuspan for achieving the Rank of Eagle Scout and Troop of the Year to Troop 58 in Los Banos and Scoutmaster President Award of Merit.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

13. Grant with California Office of Traffic Safety for four in-pavement roadway systems (lighted crosswalks) - one each at Franklin Road and Plainsburg Road, two each at Le Grand Road,

one set of two driver feedback signs for Franklin Road.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005218 AYES: ALL

14. Resolution authorizing the Supplemental State Transit Assistance Fund Claim for the 2005-2006 Fiscal Year with MCAAG.

ADOPTED RESOLUTION NO. 2005-157A AS RECOMMENDED AYES: ALL

15. Authorize expenditure from Special Board Project Funds-District Three in the amount of \$5,000 to D & D Associates to provide consultant services for the McSwain Municipal Advisory Council.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005227 AYES: ALL

16. Authorize expenditure from Special Board Project Funds-District Four in the amount of \$2,000 to provide UC Merced for student development and approve the necessary budget transfer-\$2,000 (#006).

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

17. Authorization to negotiate with Lea's Backhoe & Demolition to complete the solid waste clean up of the Manuel Site in Dos Palos and return to the Board with a recommendation.

APPROVED AS RECOMMENDED AYES: ALL

18. Resolution supporting California-Mexico Health Initiative and send correspondence to interested parties.

ADOPTED RESOLUTION NO. 2005-158A AS RECOMMENDED AYES: ALL

FIRE

19. Authorize relief of liability for Fixed Assets #34215 and #42800 and authorize the Auditor to remove the items from the Fire Department's Inventory.

APPROVED AS RECOMMENDED AYES: ALL

AUDITOR

20. Adopt Resolution setting the Secured Property Tax Rates for 2005-2006 Fiscal Year.

ADOPTED RESOLUTION NO. 2005-159 AS RECOMMENDED AYES: ALL

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

21. Contract with Elizondo & Olivia Ayala dba Honey Bee Creamery at Building 728 at Castle Airport Aviation & Development Center.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005220 AYES: ALL

22. Contract with G.A.F. International, Inc. for use of Building 1350, 1340 and 1324 for storage of aircraft at Castle Airport and Aviation Development.

REVIEW BOARD ORDER – SEE PAGE 11 AND 12

23. Contract with Sheriff's Department for use of Building 1354 as Hangar Space for Sheriff's Aircraft.

REVIEW BOARD ORDER – SEE PAGE 12

24. Resolution authorizing execution of a Cooperation Agreement with Merced County Redevelopment Agency.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005223 AND ADOPTED RESOLUTION NO. 2005-160 AYES: ALL

PLANNING

25. Authorization for 2005 HOME Program Grant Application in the amount of \$800,000 with State Dept. of Housing and Community Development; award Contract to Self-Help Enterprises to implement and administer the County's 2005 HOME Grant to be used for First-Time Homebuyers and Housing Rehabilitation Countywide; authorize Planning to sign required documents understanding the contract will be returned for Board approval if funded and adopt Resolution authorizing submittal of the application.

ADOPTED RESOLUTION NO. 2005-161 AS RECOMMENDED AYES: ALL

26. Contract with Self-Help Enterprises to administer the 2005 Community Development Block Grant and approve necessary budget transfer-\$400,000.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005219 AYES: ALL

EXECUTIVE OFFICE

27. (1) Resolution approving Amendment and Restatement of the Sale Agreement entered into as of March 1, 2002 with Merced County Tobacco Funding Corporation; the parameters for the bonds; the investment of net bond proceeds by the Treasurer and authorization for County Officials to do any and all things necessary to refund the tobacco asset backed bonds; (2) authorize Contract with Law Firm of Sidley, Austin, Brown & Wood for Bond Counsel Services; (3) authorize Contract with Firm of Kelling, Northcross & Nobriga to serve as Financial Advisor; (4) approve selection of UBS Pain Webber as the Underwriter for the Refunding of Tobacco Settlement Asset Backed Bonds subject to the terms and conditions of Bond Purchase Agreement; (5) authorize Contract with Global Insights for a Cigarette Consumption and Population Forecast Study to the extent such study is necessary to structure and refund the tobacco settlement asset backed bonds; (6) authorize execution of engagement letters and expenditures for rating agency services related to the refunding of tobacco settlement asset backed bonds subject to review and (7) authorize Chairman, CEO, Auditor, Treasurer, Counsel and/or designee to meet with municipal finance rating agencies and/or potential investors of tobacco settlement and backed bonds out of state if necessary.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005224-KELLING, NORTHCROSS & NOBRIGA; CONTRACT NO. 2005225-SIDLEY, AUSTIN, BROWN & WOOD, LLP; CONTRACT NO. 2005226-GLOBAL INSIGHTS; CONTRACT NO. 2005244-STANDARD/POOR'S AND ADOPTED RESOLUTION NO. 2005-162 AYES: ALL

HUMAN RESOURCES

28. Ratify appointment of Director of UC Cooperative Extension.

REVIEW BOARD ORDER – SEE PAGE 12

29. Authorize 'On-Call' Pay for the Unrepresented Management Classifications of Commander-Corrections, Commander-Operations and Undersheriff and adopt Resolution.

ADOPTED RESOLUTION NO. 2005-163 AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

30. Le Grand Municipal Advisory Council.

APPOINTED HAROLD LONEY TO SERVE AS A MEMBER OF THE LE GRAND MUNICIPAL ADVISORY COUNCIL UNTIL DECEMBER 7, 2009 AYES: ALL

31. Library Advisory Commission.

APPOINTED JENNIFER LEIB UNTIL AUGUST 31, 2009 AND GINNY FARMER UNTIL AUGUST 31, 2007 TO SERVE AS MEMBERS OF THE LIBRARY ADVISORY COMMISSION REPRESENTING DISTRICT FIVE AYES: ALL

32. Underground Utility District Review Committee.

REVIEW BOARD ORDER – SEE PAGE 12 AND 13

33. Workforce Housing Task Force.

REVIEW BOARD ORDER – SEE PAGE 13

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE **AYES: ALL**

34. Commerce, Aviation and Economic Development re: Castle Airport to take part in Testing Solar Powered Light Emitting Diode (LED) Taxiway Light Test and Receive Lights at no cost.

35. Fire re: Fire Department's Participation in National Fire Prevention Week.

36. State Water Board Meeting re: Notice of Meeting on September 22, 2005.

37. U.S. Dept. of the Interior re: Final Rule Published Designating Critical Habitat for Central Population of California Tiger Salamander.

ADOPTED RESOLUTION AND ADJOURNED MEETING IN MEMORY OF THOM BUNTHOFF UNTIL TUESDAY, OCTOBER 4, 2005 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – SEPTEMBER 20, 2005

10:00 A.M. SCHEDULED ITEM **2005-09-20 PUBLIC OPPORTUNITY**

Rosa Maria Vasquez, BiNational Health Week County Coordinator speaks regarding Action Item No. 18-Correspondence requesting a Resolution supporting California-Mexico Health Initiative.

The Board adopts Resolution No. 2006-158A supporting the California-Mexico Health Initiative.

Present: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

10:00 SCHEDULED ITEM **2005-09-20 PRESENTATION OF SERVICE PIN AWARDS**

The Clerk announces the presentation of service pins to the following individuals for years of service with Merced County:

25 Years of Service – Daniel Edmondson and Vernon Warnke, Sheriff's Department; Andrea Baker, Department of Workforce Investment and Pat Keltner, Public Works Department

20 Years of Service – Mark Goddard, District Attorney

15 Years of Service – James Pacheco and B.J. Jones, Sheriff's Department

The Chairman states the Board will recess into Room 310 for a Reception in honor of the Service Pin Award recipients. The Boards recessed at 10:25 am and reconvened at 10:40 a.m.

Present: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

10:30 A.M. SCHEDULED ITEM **2005-09-20 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1760**

The time and date previously set for a public hearing to consider Proposed Ordinance adjusting Fees for Improvement Plan Review and Construction Inspection of Subdivision Projects and Miscellaneous Document Review and Processing (Amends Ordinance 1728 and Amends Sections 16.08.030.D3 and D4 of the Merced County Code) submitted by Public Works.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Nelson, duly carried, the Board waives further reading of the proposed Ordinance entitled "An Ordinance to Adjust Fees for Improvement Plan Review and Construction Inspection of Subdivision Projects and Miscellaneous Document Review and Processing" (Amends Ordinance 1728 and Amends Sections 16.08.030.D3 and D4 of the Merced County Code).

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

The Chairman asks if there is anyone present wishing to speak. No one speaks.

Upon motion of Supervisor Nelson, seconded by Supervisor Pedrozo, duly carried, the Board adopts Ordinance No. 1760 as recommended.

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

10:30 A.M. SCHEDULED ITEM

2005-09-20 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1761

The time and date previously set for a public hearing to consider Proposed Ordinance Increasing Fees for Processing and Examining Parcel Maps, Subdivision Maps, and Recording of Survey Maps (Amends Ordinance No. 1729 and Amends Section 17.40.020 of the Merced County Code) submitted by Public Works.

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board waives further reading of the Proposed Ordinance entitled "Increasing Fees for Processing and Examining Parcel Maps, Subdivision Maps, and Recording of Survey Maps" (Amends Ordinance No. 1729 and Amends Section 17.40.020 of the Merced County Code).

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

The Chairman asks if there is anyone present wishing to speak. No one speaks.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Nelson, duly carried, the Board adopts Ordinance No. 1761 as recommended.

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

10:30 A.M. SCHEDULED ITEM

2005-09-20 HEALTH – PUBLIC HEARING –ORDINANCE NO. 1762

The time and date previously set for a public hearing to consider Proposed Ordinance Amending the Health Department Fee Ordinance by Adopting or Changing Fees Set for Health Services Performed by the Health Officer of Merced County (Amends Ordinance No. 1732 and Amends Title 9, Chapter 9.49 of the Merced County Code), submitted by the Health Department.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Crookham, duly carried, the Board waives further reading of the proposed Ordinance entitled "Amending the Health Department Fee Ordinance by Adopting or Changing Fees Set for Health Services Performed by the Health Officer of Merced County" (Amends Ordinance No. 1732 and Amends Title 9, Chapter 9.49 of the Merced County Code).

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

The Chairman asks if there is anyone present wishing to speak. No one speaks.

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board adopts Ordinance No. 1762 as recommended.
Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

10:30 A.M. SCHEDULED ITEM

2005-09-20 FIRE – PUBLIC HEARING – ORDINANCE NO. 1763

The time and date previously set for a public hearing to consider Proposed Ordinance Creating Fees for the Fire Department Review and Approval of Certain Buildings, Facilities and Fire Protection Systems (Adding Section 9.24.055 to the Merced County Code), submitted by Fire Department.

Upon motion of Supervisor Nelson, seconded by Supervisor Crookham, duly carried, the Board waives further reading of the Proposed Ordinance entitled “An Ordinance Creating Fees for the Fire Department Review and Approval of Certain Buildings, Facilities and Fire Protection Systems (Adding Section 9.24.055 to the Merced County Code).

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

The Chairman asks if there is anyone present wishing to speak. No one speaks.

Upon motion of Supervisor Nelson, seconded by Supervisor Kelsey, duly carried, the Board adopts Ordinance No. 1763 as recommended.

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

10:30 A.M. SCHEDULED ITEM

2005-09-20 COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT – PUBLIC HEARING – ORDINANCE NO. 1764

The time and date previously set for a public hearing to consider Proposed Ordinance Establishing Aircraft Landing and Parking Rates and Related Charges at Castle Airport (Supersedes Ordinance No. 1735 and Amends Chapter 5.40 of the Merced County Code), submitted by the Commerce, Aviation and Economic Development.

Upon motion of Supervisor Nelson, seconded by Supervisor Pedrozo, duly carried, the Board waives further reading of the Proposed Ordinance entitled “An Ordinance Establishing Aircraft Landing and Parking Rates and Related Charges at Castle Airport” (Supersedes Ordinance No. 1735 and Amends Chapter 5.40 of the Merced County Code).

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

The Chairman asks if there is anyone present wishing to speak.

Jim Price speaks in opposition of the Ordinance and states additional concerns with Military not having a fee exemption, flowage fees and aircraft storage.

The Chairman closes the public hearing.

Commerce, Aviation and Economic Development Director John Fowler reviews the Staff Report and the proposed ordinance.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board adopts Ordinance No. 1764 as recommended.

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

10:30 A.M. SCHEDULED ITEM

2005-09-21 COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT – PUBLIC HEARING - ORDINANCE NO. 1765

The time and date previously set for a public hearing to consider Proposed Ordinance regarding the Operation of Water and Sewer Systems at Castle Airport, Aviation and Development Center and Charges Related Thereto (Partially Supersedes Ordinance No. 1736 and Amends Chapter 5.60 of the Merced County Code) submitted by Commerce, Aviation and Economic Development.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Nelson, duly carried, the Board waives further reading of the Proposed Ordinance entitled “Operation of Water and Sewer Systems at Castle Airport, Aviation and Development Center and Charges Related Thereto” (Partially Supersedes Ordinance No. 1736 and Amends Chapter 5.60 of the Merced County Code).

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

The Chairman asks if there is anyone present wishing to speak. No one speaks.

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board adopts Ordinance No. 1765 as recommended.

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

10:30 A.M. SCHEDULED ITEM

2005-09-20 PLANNING - PUBLIC HEARING

The time and date previously set for a public hearing to consider a Resolution revising Planning and Community Development Department Development Review Fees (Supercedes Resolution No. 2004-151) submitted by Planning Department.

The Chairman asks if there is anyone present wishing to speak. No one speaks.

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board approves adjustments to the Planning and Community Development Department’s Development Review Fees (Superceding Resolution No. 2004-151) and adopts Resolution No. 2005-164.

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

ACTION ITEM NO. 22

2005-09-20 COMMERCE, AVIATION AND ECONOMIC DEVELOPEMENT

The Clerk announces the Contract with G.A.F. International, Inc. for use of Building 1350, 1340 and 1324 for storage of aircraft at Castle Airport and Aviation Development is before the Board for consideration.

Supervisor Crookham requests further information relative to the “out clause” in the contract before the Board.

Director of Commerce, Aviation and Economic Development John Fowler states there is an existing “out clause” in the contract as recommended by Counsel.

Upon motion of Supervisor Kelsey, seconded by Supervisor Nelson, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2005221 with G.A.F. International, Inc. for sublease of Building 1350, 1340 and 1324 for storage of aircraft at Castle Airport and Aviation Development.

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

ACTION ITEM NO. 23

2005-09-20 COMMERCE, AVIATION AND ECONOMIC DEVELOPEMENT

The Clerk announces the Contract with the Sheriff’s Department for use of Building 1354 at Castle Airport and Aviation Development is before the Board for consideration.

Supervisor Crookham requests further information relative to the “out clause” in the contract before the Board.

Director of Commerce, Aviation and Economic Development John Fowler states there is an existing “out clause” in the contract as recommended by Counsel.

Upon motion of Supervisor Kelsey, seconded by Supervisor Nelson, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2005222 with Merced County Sheriff’s Department use of Building 1354 at Castle Airport and Aviation Development for use as Hangar Space for Sheriff’s Aircraft.

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

ACTION ITEM NO. 28

2005-09-20 HUMAN RESOURCES

The Clerk announces the appointment of Director of UC Cooperative Extension is before the Board for consideration.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Kelsey, duly carried, the Board ratifies the appointment of Richard Mahacek as the Director of UC Cooperative Extension effective June 1, 2005 as appointed by the University of California Regents.

Ayes: O’Banion, Pedrozo, Crookham, Nelson, Kelsey

ACTION ITEM NO. 32

2005-09-20 PUBLIC WORKS-UNDERGROUND UTILITY DISTRICT REVIEW COMMITTEE

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board appointed Jim Gaskin, Cable TV Rep; Steve Barrow, PG&E and Janet Westfall, Pacific Bell as Non-Voting Members; appointed Curt Royer, Public Works-Road and reappointed Mike Edwards, Public Works-Admin; Bill Nicholson, Planning; Jim Pincher, CAED and Angelo Lamas, Executive Office as Voting Members on the Underground Utility District Review Committee serving at the Pleasure of the Board.

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

ACTION ITEM NO. 33

2005-09-20 DEPT. OF WORKFORCE INVESTMENT – MERCED COUNTY WORKFORCE HOUSING TASK FORCE

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board appoints the following to serve on the Merced County Workforce Housing Task Force:

County Appointed Members - Don Borgwardt, Housing Authority; Nelson Crabb, Insurance Industry, Christina Alley, Member at Large; Ray Rodriguez, Finance Banking Industry; Don Bergman, Workforce Investment Board; Peter Fluetsch, Workforce Investment Board and Guy Maxwell, Building Industry for a One Year Term until September 20, 2006;

And recognizes Members appointed by the Cities:

City Appointed Members: Mo Khatami, Atwater City; Everett Younce, Dos Palos City; Don Hutchings, Gustine City; Ken Hubler, Los Banos City and Masoud Niroumand, Merced City with further information to follow on Livingston City.

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey